

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

-----x
THE PROIMMUNE COMPANY, LLC,

Civil Action No. 7:20- cv-01247 (KMK)

Plaintiff,

- against -

HOLISTA COLLTECH LTD. and DOES 1-50, inclusive,

(PROPOSED)
JUDGMENT

Defendant.

-----x
HOLISTA COLLTECH LTD. and DOES 1-50, inclusive,

Counterclaim Plaintiff,

- against -

THE PROIMMUNE COMPANY, LLC,

Counterclaim Defendant.

-----x
On June 14, 2021, Plaintiff/Counter-Defendant The ProImmune Company, LLC's Motion for Summary Judgment was filed with the Court. (ECF 48.) On March 21, 2022, the Court granted ProImmune's Motion for Summary Judgment, and requested briefing on two remaining issues. (ECF 85.) On January 30, 2023, the Court affirmed its ruling on ProImmune's Motion for Summary Judgment and awarded money damages on the first, second and fourth causes of action for breach of contract (ECF 96.)

Having considered ProImmune's request to dismiss its third cause of action for breach of contract with prejudice pursuant to FRCP 41(a)(2), and finding no prejudice to Holista Colltech Ltd. as a result, the Court further rules that ProImmune's third claim is hereby dismissed with prejudice (ECF 103).

Based on the foregoing, it is hereby ordered and adjudged that The ProImmune Company, LLC is hereby awarded damages in the amount of \$1,198,150.00 against Holista Colltech Ltd. on its first, second, and fourth claims for breach of contract. *See also* ECF 96.

SO ADJUDGED.

Dated: _____

HON.KENNETH M. KARAS
United States District Judge